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General Assembly

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Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
17-25 February 2015

Peaceful settlement of disputes

Proposal of the Non-Aligned Movement on the pacific settlement of disputes and its impact on the maintenance of peace

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,

Expressing the importance that the United Nations bring about by peaceful means the settlement of international disputes which might lead to a breach of the peace, taking into consideration that there are disputes in current international relations that could endanger international peace and security,

Recalling that the Manila Declaration on the Peaceful Settlement of International Disputes was the first instrument adopted by the General Assembly as a result of the work of the Special Committee,

Reaffirming the provisions of Chapter VI of the Charter of the United Nations and its commitment to peaceful means for the settlement of disputes,

Recalling that, as provided in Article 2, paragraph 4, of the Charter, all States Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming that the Charter, in Article 33, paragraph 1, stipulates that the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice,

Affirming that the Security Council should fully implement the relevant provisions of Chapter VI, in particular Article 33, paragraph 2, and avoid resorting to Chapter VII of the Charter as a general framework to address conflicts which do not necessarily represent a threat to international peace and security,

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Reaffirming that all States should observe the provisions of the Charter,

Noting the draft of the articles on the responsibility of States for internationally wrongful acts, which have been commended to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action,

1. *Decides* to consider on an annual basis, the use of peaceful means for the settlement of disputes, in accordance with the provisions of Chapter VI of the Charter of the United Nations;

2. *Also decides* to reflect the results of the consideration of this issue in its annual report to the Sixth Committee, and requests the Secretariat to prepare for the Sixth Committee an annual compilation of the use of peaceful means for the settlement of disputes in accordance with the provisions of Chapter VI of the Charter and to invite Governments to submit information on their practice in this regard;

3. *Suggests* that the International Law Commission consider including in its programme of work, a study on the obligation of States to use peaceful means for settling their international disputes.

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Full validity of the Charter of the United Nations on its seventieth anniversary

Document submitted by the delegation of Cuba

Cuba wishes to mark the seventieth anniversary of the Charter of the United Nations by reaffirming its commitment to the full implementation of that instrument.

In 1945, inspired by "we the peoples", the Charter laid the foundation for a new system of relations among States and expressed the noble aspirations of progress, freedom and justice for all of the Earth's inhabitants.

The primary goal, set out in its opening paragraph, was "to save succeeding generations from the scourge of war".

To achieve those aims, it established an Organization whose purposes were to maintain peace, develop friendship among nations, achieve international cooperation and serve as a centre for harmonizing actions to attain those ends.

The Organization was to be "based on the principle of the sovereign equality of all its Members" and on other principles, such as the peaceful settlement of international disputes, the non-threat or use of force and non-intervention in the internal affairs of States. It also promised to promote the economic and social advancement of all peoples.

Seventy years later, those noble goals remain a mirage for the vast majority of the world's people.

We live at a time when the survival of the human species is under threat and a stubborn insistence on rejecting international law and ignoring the United Nations still persists in some States. But we cannot give up striving for a better world.

We will continue to work tirelessly for the legitimate right of all peoples to a world without hunger or poverty and with health, education and dignity guaranteed

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to all; a world free of oppression and discrimination, without war, economic embargoes or exploitation of the weak.

No reform of the United Nations can redefine the principles of the Charter or undermine their implementation. Under no circumstances can we allow these principles to be challenged and reinterpreted to serve narrow political interests.

In this context, Cuba reaffirms the importance of the Special Committee on the Charter, which was established by General Assembly resolution 3349 (XXIX). It is this Committee that has the momentous responsibility of introducing any amendments to the Charter that are proposed with a view to ensuring the more effective functioning of the United Nations and enhancing its ability to achieve its purposes.

Cuba will continue to contribute as far as possible to the work of the Special Committee and to efforts to bring the ideals of the Charter to fruition.